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TOM TIMMER, ANN TIMMER,  
the *F/V BOUNTIFUL* and the *F/V DONITA*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JOSEPH F. ARISPE,

Plaintiff,

v.

TOM TIMMER and ANN TIMMER, *in  
personam*, et. al.

Defendants.

Case No.: C 03 4269 CRB ARB

**[PROPOSED] ORDER  
DIRECTING THE UNITED  
STATES MARSHAL SERVICE  
AND/OR SUBSTITUTE  
CUSTODIAN TO IMMEDIATELY  
RELEASE THE *F/V DONITA*  
FROM DETENTION**

A hearing having been held November 22, 2005, on shortened time, before the  
Honorable Charles R. Breyer and the issues having been briefed and argued, it **IS HEREBY  
ORDERED THAT:**

The United States Marshall Service and/or the Substitute Custodian currently in  
possession of the *F/V Donita* are hereby ordered to immediately release said vessel from  
their possession and turnover said vessel to Captain Ron Story, Mike McCutcheon or Ann  
Timmer.

Date: November 22, 2005

By

Approved as to Form:

Date: November 22, 2005

By

